



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

See further on this subject 6 MICH. LAW REV. 322-5; also *Right of Privacy*, 8 MICH. LAW REV. 221-2; *Duty to Submit to Physical Examination*, 1 MICH. LAW REV. 71, 193-211, 277, 669.

EQUITY—RECONVERSION.—A testator in his last will directed his land to be sold and the proceeds to be distributed to his children and the heirs of their bodies as legatees. He provided that should any legatee die without issue his legacy should return to the other children. Plaintiffs, grandchildren of the testator, claim a right to their father's share of this land under the will by asserting a reconversion. Defendants, children of another legatee, claim it through purchase by their father, who had used his legacy in payment of the purchase-price of the portion of the land held by defendants. *Held*, for defendant on ground that his title depends on purchase from the testator's title and not on reconversion. *Hibbler et al v. Oliver et al*, (Ala. 1915) 69 So. 477.

The court here had to interpret the effect of the legatee's method of acquiring title to this land. The chancery court had allowed two of the five legatees to exchange their legacies in this converted property for a corresponding interest in the land. It is well settled that a mandatory provision in a deed to sell land and distribute the proceeds constitutes a conversion. *Fletcher v. Ashburner*, 1 Bro. Ch. 499, *Burbach v. Burbach*, 217 Ill. 547, 75 N. E. 519. It is also a well recognized principle of equity jurisprudence that there can be a reconversion by election of all the beneficiaries. *Willing v. Peters*, 7 Pa. 287; *Duckworth v. Jordan*, 138 N. C. 520, 51 S. E. 109. The election must be made by all, because the direction of the will or deed gives each beneficiary a right to have the whole sold and necessarily denies to each the right to reconvert his single share. In the principal case the court avoided going against such well settled principle by treating the exchange by part of the beneficiaries of their legacies for shares in the property as a sale. But still this in reality forces only a sale of a part of the property and has the effect of a reconversion by election of a part of the beneficiaries. It might be noticed that each beneficiary's interest under the will was to become absolute only upon his death leaving issue of his body. This condition necessarily attached to the personality since the conversion occurs upon death of the testator. *Robert v. Corning*, 89 N. Y. 225; *Starr v. Willoughby*, 218 Ill. 485; 2 L. R. A. (N. S.) 623.

EVIDENCE—WAIVER BY CONTRACT OF PRIVILEGE OF PHYSICIAN AND PATIENT.—In an action by the beneficiary on an insurance certificate, the application for which contained an express waiver for the insured and his beneficiary of all privileges or benefit disqualifying any physician from testifying concerning information obtained about him in a professional or other capacity, and also of the provisions of all laws which would conflict with such agreement, *Held*: the waiver contained in the application was against public policy and void, and the testimony of the attending physicians as to all knowledge obtained by them in such capacity was properly excluded. *Gilchrist v. Mystic Workers of the World*, (Mich. 1915) 154 N. W. 575.